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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,793	02/11/2002	Darrel Cherry	10016811-1	7232

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/074,793	Applicant(s) CHERRY ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4 and 7-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 7-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/4/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 1/31/06, and has been entered and made of record. Currently, **claims 1, 3, 4, and 7-25** are pending.

### *Response to Arguments*

2. Applicant's arguments, filed 1/31/06, with respect to the rejection of **claims 15-25**, which were cited in the Office action dated 10/31/05 under 35 U.S.C.102(e) as being anticipated by Gecht *et al.* (U.S. Patent Number 6,859,832) have been fully considered and are persuasive in light of the current amendment to independent claim 15. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of Gecht *et al.* under 35 U.S.C. 103(a), with a full discussion below.

3. Applicant's arguments, filed 1/31/06, with respect to the rejection of **claims 1, 3, 4, and 7-14**, which were cited in the Office action dated 10/31/05 as being anticipated by Gecht *et al.* (U.S. Patent Number 6,859,832), have been fully considered but they are not persuasive.

4. In response to applicant's arguments regarding the rejection of currently amended **claim 1**, whereby applicant argues on pages 6 and 7 that Gecht fails to teach of "retrieving an authorization code from a remote monitoring device", as applicant states that the PIN is never "retrieved" from the spooling server. Upon review of the reference, the examiner believes that the reference can still be reasonably interpreted as anticipated the claim, as amended. The examiner notes that according to Merriam Webster's Collegiate Dictionary, Tenth Edition, the

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term “retrieve” has a definition that states “to get or bring back; *esp* : to recover (as information) from storage”. In the reference of Gecht, the spooling server 50 stores print jobs with an associated PIN number, as read in column 10, lines 24-26, and seen in Fig. 4 as the “print job & PIN 52”. Further, as seen in Fig. 5 and read on page 11, lines 2-5, Gecht states that the “spooling server 50 decrypts the string (indicated at 355) using an encryption key 362 **generated from the PIN it knows (360)** and compares it to the original random string (indicated at 365).” Thus, the spooling server 50 “retrieves” a PIN (360) from it’s memory so as to compare an original random sting along with the decrypted string, as further read in column 11, lines 2-12.

Therefore, Gecht can be interpreted as teaching of retrieving an authorization code from a remote monitoring device, as current required in claim 1, and similarly in independent claim 8.

Continuing, in response to applicant’s arguments regarding the rejection of dependent claim 12, whereby applicant argues on page 8 that Gecht fails to teach of an authorization code containing a “quality of service parameter”. In column 8, lines 45-59 of Gecht, various parameters are related to the print jobs, such as a fees for lifetime memberships, monthly memberships, etc, which can be considered “quality of service parameters”. Since the print jobs are stored together with the PIN numbers, as seen in Fig. 9, one can interpret Gecht as teaching that the authorization code contains quality of service parameters, as each PIN number corresponds to a particular user, as read in column 10, lines 24-30 .

Continuing, in response to applicant’s arguments regarding the rejection of dependent claim 13, whereby applicant argues on page 8 that Gecht fails to teach of an agent “retrieving the authorization code from the host and assigning the authorization code to the print job”. First, claim 8 includes the limitation that requires “retrieving an authorization code from a host located

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on the communication link”. In a reasonable interpretation, the “host” can be viewed as the printer polling device 100, as no structural relationship between the “host” and the “public computer service center” is included in the current claim language. In column 10, line 60-column 11, line 12, Gecht teaches of sending an encrypted string of bits to the printer polling device 100. Then, the spooling server receives a response to the previously sent string that was encrypting by the printer polling device 100 using the PIN. The spooling server 50 then decrypts the received string for a comparison for authentication purposes. With this, the spooling server 50, can be interpreted as retrieving an authorization code, as currently required in claim 8. Continuing, claim 13 specifies “wherein an agent retrieves the authorization code from the host and assigns the authorization code to the print job”. Once again, since there is no structural relationship with the “agent”, the “host”, and the “public computer service center”, a reasonable interpretation of “an agent” is the programming within spooling server, as seen in Fig. 9. With this, one can interpret that the spooling server 50 retrieves an authorization code from the host, as discussed above, and further that the spooling server 50 assigns the authorization code to the print job, as seen in Fig. 9, whereby print jobs are stored by PINs related to each user, as also read in column 10, lines 24-30. Therefore, Gecht can be interpreted as teaching the limitations required in dependent claims 12 and 13.

5. Therefore, the rejection of independent amended **claim 1**, as well as the corresponding dependent **claims 3, 4, and 7**, as cited in the Office action dated 10/31/05 under 35 U.S.C. 102(e) as being anticipated by Gecht *et al.*, is maintained and repeated in this Office action. Further, the rejection of independent **claim 8**, as well as the corresponding dependent **claims 9-**

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14, as cited in the Office action dated 10/31/05 under 35 U.S.C. 102(e) as being anticipated by Gecht *et al.*, is maintained and repeated in this Office action.

***Information Disclosure Statement***

6. The references listed in the Information Disclosure Statement submitted on 11/4/05 have been considered by the examiner (see attached PTO-1449).

***Claim Rejections - 35 USC § 102***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. **Claims 1, 3, 4, and 7-14** are rejected under 35 U.S.C. 102(e) as being anticipated by Gecht *et al.* (U.S. Patent Number 6,859,832, cited in the Office action dated 10/31/05).

Regarding **claim 1**, Gecht discloses a method comprising retrieving an authorization code from a remote monitoring device (column 10, line 60-column 11, line 12, and column 15, lines 20-57), sending a print job with the authorization code to the remote monitoring device (see Figs. 4 and 9, column 11, lines 16-60), the remote monitoring device checking whether the authorization code is valid (column 10, line 60-column 11, line 50), enabling printing of the print job upon determining that the authorization code is valid (column 11, lines 2-24), and disabling printing of the print job upon determining that the authorization code is invalid (column 11, lines 2-24).

Regarding **claim 3**, Gecht discloses the method discussed above in claim 1, and further teaches that the retrieving is performed by an agent operating on a computer (column 10, line 60-column 11, line 50).

Regarding **claim 4**, Gecht discloses the method discussed above in claim 1, and further teaches that the authorization code comprises an expiration interval parameter (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding **claim 7**, Gecht discloses that one or more computer-readable media comprises computer-executable instructions that, when executed, perform the method as recited in claim 1 (column 13, lines 1-33).

Regarding **claim 8**, Gecht discloses that in a public computer service center (spooling server 50) where multiple computers can be connected to a communications link associated with the service center (see Fig. 1), a method comprising creating a request to log on to the communications link (column 3, lines 1-26), retrieving an authorization code from a host located on the communication link (column 10, line 60-column 11, line 12, and column 15, lines 20-57), sending a print job to a printer with the authorization code embedded in a header of the print job (see Figs. 4 and 9, column 9, lines 12-48, and column 11, lines 16-60, whereby encrypting data in a triple-DES format inherently includes an encryption key in the header of the data), and checking whether the authorization code is valid, prior to enabling or disabling the print job from printing (column 10, line 60-column 11, line 50).

Regarding **claim 9**, Gecht discloses the method discussed above in claim 8, and further teaches that the public computer service center is a hotel (column 4, lines 18-36).

Regarding *claim 10*, Gecht discloses the method discussed above in claim 8, and further teaches that the public computer service center is an airport-based printing center (column 4, lines 18-36).

Regarding *claim 11*, Gecht discloses the method discussed above in claim 8, and further teaches that the authorization code contains an expiration interval parameter (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding *claim 12*, Gecht discloses the method discussed above in claim 8, and further teaches that the authorization code contains a quality of service (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding *claim 13*, Gecht discloses the method discussed above in claim 8, and further teaches that an agent retrieves the authorization code from the host and assigns the authorization code to the print job (Figs. 4 and 9, column 9, lines 12-48, and column 11, lines 16-60).

Regarding *claim 14*, Gecht discloses that one or more computer-readable media comprises computer-executable instructions that, when executed, perform the method as recited in claim 8 (column 13, lines 1-33).



***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 15-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gecht *et al.* (U.S. Patent Number 6,859,832, cited in the Office action dated 10/31/05).

Regarding **claim 15**, Gecht discloses a system (see Figs. 1, 5, 9, and 11) comprising a communications link (network 110), a monitoring device (spooling server 50) attached to the communications link (see Figs. 1, 5, 9, and 11), an agent (agent program 200), configured to provide an interface between a computer (CPU of client device 12) and the communication link (network 110, see Figs. 10 and 11, column 13, line 6-column 14, line 16), wherein the agent (agent program 200) **receives data from the monitoring device** (column 13, line 44-column 14, line 16), and assigns the authorization code to a print job sent by the computer (see Figs. 4 and 11, PIN 400, column 10, lines 5-38), wherein the monitoring device (spooling server 50) is configured to receive the print job and verify whether the authorization code is valid (see Fig. 4, and column 10, line 60-column 11, line 50).

Continuing, Gecht does teach of receiving a name of a document or the name of a subdirectory at the agent program, as read in column 13, line 44-column 14, line 16. However, Gecht fails to expressly disclose if the agent receives *an authorization code* from the monitoring device. Because the documents within the print jobs are stored in the spooling server 50 under subdirectories for each PIN number, as seen in Fig. 9, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to consider the PIN number as being included in the data sent from the spooling server 50 (interpreted as the monitoring device) to the agent program 200 (interpreted at the agent). Gecht made the design choice of transmitting a name of a document or a subdirectory to the agent program, but would easily have included an authorization code as well, since the code indicates where print jobs are stored within the server.

Regarding *claim 16*, Gecht discloses the system discussed above in claim 15, and further teaches that the monitoring device verifies whether the authorization code is valid by comparing the authorization code to a data base to find a matching entry (column 9, lines 12-48, and column 11, lines 16-60).

Regarding *claim 17*, Gecht discloses the system discussed above in claim 15, and further teaches that the monitoring device permits printing of the print job by a printer if the authorization code is valid (column 9, lines 12-48, and column 11, lines 16-60).

Regarding *claim 18*, Gecht discloses the system discussed above in claim 15, and further teaches that the authorization code comprises an expiration interval parameter (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding *claim 19*, Gecht discloses the system discussed above in claim 15, and further teaches that the authorization code comprises a quality of service parameter (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding *claim 20*, Gecht discloses the system discussed above in claim 15, and further teaches that the communications link comprises Ethernet access (column 7, line 63-column 8, line 19, and column 11, line 51-column 12, line 34, see Fig. 1).

Regarding **claim 21**, Gecht discloses the system discussed above in claim 15, and further teaches that the communications link is a communications network (column 7, lines 63-67, see Fig. 1).

Regarding **claim 22**, Gecht discloses the system discussed above in claim 15, and further teaches that the communications link is a switch (column 8, lines 45, lines 35-65, and column 11, lines 42-50).

Regarding **claim 23**, Gecht discloses the system discussed above in claim 15, and further teaches that the monitoring device is a server (spooling server 50, column 10, line 60-column 11, line 50).

Regarding **claim 24**, Gecht discloses the system discussed above in claim 15, and further teaches that the authorization code is embedded in a header of the print job (see Figs. 4 and 9, column 9, lines 12-48, and column 11, lines 16-60, whereby encrypting data in a triple-DES format inherently includes an encryption key in the header of the data).

Regarding **claim 25**, Gecht discloses the system discussed above in claim 15, and further teaches that the authorization code is part of an HTTP communication related to the print job (column 3, lines 19-46).

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

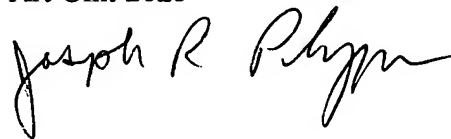
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa  
Primary Examiner  
Art Unit 2625

A handwritten signature in cursive script, reading "Joseph R. Pokrzywa".

jrp